

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

**IN RE:        ROBERT TIMOTHY MILLER,  
              STACIA LEZETTE MILLER,  
                         Debtors.**

**Case No. 14-74074-FJS**

**Chapter 13**

**AMENDED NOTICE OF MOTION**

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then, on or before twenty-one (21) days from the date of this notice, you or your attorney must:

  x   File with the Court, at the address shown below, a written request for a hearing (or a written response pursuant Local Bankruptcy Rule 9013-1 (H)). If you mail your request for a hearing (or response) to the Court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

Clerk of Court  
United States Bankruptcy Court  
600 Granby Street  
Norfolk, VA 23510

You must also mail a copy to:

Timothy R. Douglass, Esq.  
John W. Lee, P.C.  
291 Independence Blvd., 530  
Virginia Beach, VA 23462

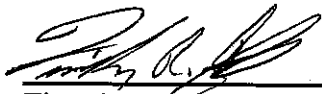
       Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. If no timely response has been filed opposing the relief requested the court may grant the relief without holding a hearing.

\_\_\_\_ Attend the hearing scheduled on the Motion (or objection) to be held on  
\_\_\_\_\_ at \_\_\_\_\_ a.m./ p.m. at the United States Bankruptcy Court  
\_\_\_\_\_.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and enter an order granting that relief.

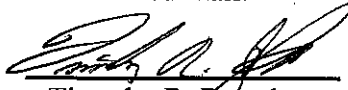
Counsel For:  
ROBERT TIMOTHY MILLER  
STACIA LEZETTE MILLER

10/22/2015  
Date

  
Timothy R. Douglass, Esq.  
(VSB No. 72901)  
John W. Lee, P.C.  
291 Independence Blvd., 530  
Virginia Beach, VA 23462  
(757) 961-8553

#### Certificate of Service

I hereby certify that I mailed a true and accurate copy of the foregoing to the Trustee, the US Trustee, the debtor, and all creditors listed on the attached List of Service, pursuant to Rule 7004 of the Federal Rules of Bankruptcy procedure, on this 22<sup>nd</sup> day of October 2015. Parties noted with an \* were served via certified mail.

  
Timothy R. Douglass

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

**IN RE:           ROBERT TIMOTHY MILLER,  
                  STACIA LEZETTE MILLER,  
                                Debtors.**

**Case No. 14-74074-FJS  
  
Chapter 13**

**AMENDED MOTION FOR AUTHORITY**

**TO INCUR DEBT SECURED BY PERSONAL PROPERTY**

**NOW COME** the debtors, Robert Timothy Miller, and Stacia Lezette Miller, by counsel, and file this Motion for Authority to Incur Debt Secured By Personal Property pursuant to 11 U.S.C. §§ 364(a) and 1304(b), Federal Rules of Bankruptcy Procedure 4001(c) and 9014, and Local Bankruptcy Rules 9013-1, and respectfully state to the Court as follows:

1. This Court has exclusive jurisdiction over this matter pursuant to 28 U.S.C. §1334.
2. This proceeding is a core proceeding under 28 U.S.C. §157(b)(2)(A), (B), (K), and (O).
3. Venue is proper pursuant to 28 U.S.C. §1409.
4. That on November 7, 2014, the debtors filed a voluntary petition for relief under Chapter 13 of the United States Bankruptcy Code.

*Timothy R. Douglass, Esq. (VSB No. 72901)  
John W. Lee, P.C.  
291 Independence Blvd., Ste 530  
Virginia Beach, VA 23462  
757-896-0868*

5. Debtors filed their Amended Chapter 13 Plan on December 7, 2014, which Plan was confirmed by Order of the Court on February 24, 2015.
6. Debtors seek to finance a 2014 Chevrolet Malibu or a substantially similar vehicle from R.K. Chevrolet, Inc.
7. The terms of the proposed loan are as follows:
  - a. The purchase price is approximately \$18,475.00;
  - b. The down payment is \$2,5000.00, the source of the funds being money saved up by the Debtors through the contingency of their budget;
  - c. Approximately \$880.93 for taxes and licensing fees;
  - d. Approximately \$649.00 for the Processing Fees;
  - e. Approximately \$700.00 for GAP coverage;
  - f. Approximately \$495.00 for Skylink Service;
  - g. Total amount of the loan financed is approximately \$18,204.53;
  - h. Fixed interest rate, which is approximately \$18.900%;
  - i. Amortized for approximately 66 months;
  - j. Approximate monthly principal and interest payments will be \$449.74.
8. Debtors' 2001 Cadillac DeVille has several severe mechanical issues and is no longer reliable, and Mr. Miller is in need of a reliable vehicle to drive to and from work. Debtors have no other vehicles.
9. Debtors have filed amended Schedules I and J and Plan to address the new car payment in their monthly budget.

10. Debtors request that the Court authorize their Motion to Incur Debt as stated herein.

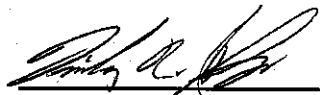
**WHEREFORE**, the debtors pray that this Court enter an Order: (1) permitting Debtors to incur new debt as set forth herein; (2) directing that the loan approved hereby be applied to the costs of the new vehicle as set forth herein; and (3) for such other relief as this court deems appropriate.

Respectfully Submitted,

ROBERT TIMOTHY MILLER  
STACIA LEZETTE MILLER

10/22/2015

Date

  
Timothy R. Douglass, Esq.  
(VSB No. 72901)  
John W. Lee, P.C.  
291 Independence Blvd., 530  
Virginia Beach, VA 23462  
(757) 961-8553

**Certificate of Service**

I hereby certify that I mailed a true and accurate copy of the foregoing to the Trustee, U.S. Trustee, the debtors, and all creditors listed on the attached List of Service, pursuant to Rule 7004 of the Federal Rules of Bankruptcy procedure, on this 22<sup>nd</sup> day of October 2015. Parties noted with an \* were served via certified mail

  
Timothy R. Douglass

Label Matrix for local noticing  
0422-2  
Case 14-74074-FJS  
Eastern District of Virginia  
Norfolk  
Thu Oct 22 04:50:57 EDT 2015

Synchrony Bank c/o Recovery Management Syste  
25 SE 2nd Avenue, Suite 1120  
Miami, FL 33131-1605

United States Bankruptcy Court  
600 Granby St., Room 400  
Norfolk, VA 23510-1915

Aargon Agency Inc  
8668 Spring Mountain rd.  
Las Vegas, NV 89117-4132

American Education Services  
Atten: Accnt. Dept.  
Payment Center  
Harrisburg, PA 17130-0001

American InfoSource LP as agent for  
DIRECTV, LLC  
PO Box 51178  
Los Angeles, CA 90051-5478

American InfoSource LP as agent for  
Verizon  
PO Box 248838  
Oklahoma City, OK 73124-8838

Brenneman Farm Apts., L.L.C. t.a. Brenneman  
c/o Tiffany & Tiffany, PLLC  
770 Independence Circle, Ste. 200  
Virginia Beach, VA 23455-6452

CBE Group  
1309 Technology Pkway  
Cedar Falls, IA 50613-6976

(p)JEFFERSON CAPITAL SYSTEMS LLC  
PO BOX 7999  
SAINT CLOUD MN 56302-7999

City of Virginia Beach  
Office of City Treasurer  
Bankruptcy Records  
2401 Courthouse Drive  
Virginia Beach, VA 23456-9120

City of Virginia Beach  
Public Utilities and Public Wo  
2401 Courthouse Dr., Bldg. 1  
Virginia Beach, VA 23456-9120

Coleman Bridge  
Violation Processing Center  
P.O. Box 1234  
Clifton Forge, VA 24422-0724

Craig W.T. Estrada, DDS  
1354 Kempsville Road  
Suite 101  
Chesapeake, VA 23320-1416

Credit Collection Services  
P O Box 9135  
Needham Heights, MA 02494-9135

Credit Collections Services  
2 Wells Ave  
Dept 9133  
Newton Center, MA 02459-3225

Department of Education/Sallie  
P.O. Box 9635  
Wilkes Barre, PA 18773-9635

Dept of Treasury  
Internal Revenue Service  
P.O. Box 621505  
Atlanta, GA 30362-3005

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 7346  
PHILADELPHIA PA 19101-7346

Dish Network  
Atten: Billing Dept.  
P.O. Box 94063  
Palatine, IL 60094-4063

Diversified Consultants, Inc  
P.O. Box 551268  
Jacksonville, FL 32255-1268

Dominion Power  
Atten: Bk Dept.  
P.O. Box 26543  
Richmond, VA 23290-0001

(p)DOMINION VIRGINIA POWER  
PO BOX 26666  
18TH FLOOR  
RICHMOND VA 23261-6666

EOS CCA  
700 Longwater Drive  
Norwell, MA 02061-1624

ERC d/b/a Suntrust Bank  
8014 Bayberry Road  
Jacksonville, FL 32256-7412

Elizabeth River Tunnel  
700 Port Centre Pkwy  
Suite 2B  
Portsmouth, VA 23704-5901

Enterprise Recovery Systems  
P.O. Box 5169  
Hinsdale, IL 60522-5169

Equidata  
P.O. Box 6610  
Newport News, VA 23606-0610

FedLoan Servicing  
P.O. Box 69184  
Harrisburg, PA 17106-9184

Federal Loan Servicing Credit  
Atten: Accounting Dept.  
P.O. Box 60610  
Harrisburg, PA 17106-0610

First Virginia Financial Svcs  
687 Lynnhaven Pkwy  
Suite 120  
Virginia Beach, VA 23452-7462

Foster Denistry, PLLC  
Cosmetic Family and Implant De  
609 Lynnhaven Pkwy  
Virginia Beach, VA 23452-7336

GC Services Limited Partnershi  
P.O. Box 2545  
Houston, TX 77252-2545

Global Lending Service  
Atten: Acctng. Dept.  
5 Concourse Pkwy, NE, Ste.2925  
Atlanta, GA 30328-7104

Global Lending Services  
P.O. Box 311  
Williamsville, NY 14231-0311

Global Payment Check Service  
6215 W. Howard Street  
Niles, IL 60714-3403

Global Payments Inc.  
P.O. Box 661158  
Chicago, IL 60666-1158

HRSD  
1434 Air Rail Ave  
Virginia Beach, VA 23455-3002

Heights Finance Corp  
Atten: Acctng. Dept.  
2015 N. Green River Road  
Evansville, IN 47715-1909

Hoosier Accounts Service  
P.O. Box 4007  
Evansville, IN 47724-0007

Medical and Professional  
P.O. Box 1116  
Newburgh, IN 47629-1116

National Recovery Service  
2491 Paxton Street  
Harrisburg, PA 17111-1036

Navient Solutions Inc.  
Department of Education Loan Services  
P.O. Box 9635  
Wilkes-Barre, PA 18773-9635

PHEAA  
PO Box 8147  
Harrisburg, PA 17105-8147

Receivable Performance Mangmen  
20816 44th Avenue, W  
Lynnwood, WA 98036-7744

(p) SPRINT NEXTEL CORRESPONDENCE  
ATTN BANKRUPTCY DEPT  
PO BOX 7949  
OVERLAND PARK KS 66207-0949

Synchrony Bank  
c/o of Recovery Management Systems Corp  
25 S.E. 2nd Avenue, Suite 1120  
Miami, FL 33131-1605

Terry S. Richards, Sr.  
2908 Idlewild Bvd, N.E.  
Roanoke, VA 24012-6640

Tiffany and Tiffany, P.L.L.C.  
770 Independence Blvd.  
Suite 200  
Virginia Beach, VA 23455

Verizon  
Atten: Collection Dept.  
P.O. Box 5029  
Wallingford, CT 06492-7529

Wells Fargo Bank  
PO Box 5058  
Portland, OR 97208-5058

Weltman Weinberg & Reis Co LPA  
323 W. Lakeside Ave. 2nd Floor  
Cleveland, OH 44113-1009

Michael P. Cotter  
Chapter 13 Trustee  
870 Greenbrier Circle, Suite 402  
Chesapeake, VA 23320-2641

Robert Timothy Miller  
5848 Magnolia Chase Way  
Apt. #205  
Virginia Beach, VA 23464-6878

Stacia Lezette Miller  
5848 Magnolia Chase Way  
Apt. #205  
Virginia Beach, VA 23464-6878

Timothy Roy Douglass  
John W. Lee, P.C.  
291 Independence Blvd., Suite 530  
Pembroke #4  
Virginia Beach, VA 23462-5473

Checksmart  
c o Jefferson Capital Systems LLC  
Po Box 7999  
Saint Cloud Mn 56302-9617

Dept of the Treasury  
Internal Revenue Service  
Kansas City, MO 64999-0010

Dominion Virginia Power  
PO Box 26666  
Richmond, Virignia 23261  
Attn: 10th floor

Sprint  
Attn Bankruptcy Dept  
PO Box 7949  
Overland Park KS 66207-0949

End of Label Matrix  
Mailable recipients 55  
Bypassed recipients 0  
Total 55